

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PUBLIC WORKS DEPARTMENT**

**CONSENT AGENDA**  
**ITEM NO. 14**

**TO:** Mayor and City Council

**FROM:** Thomas G. Wendorf, P.E., Director of Public Works

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Melissa Byrne Vossmer; Andrew Martin; Peter Zaroni; Andrew W. Cameron, Milo D. Nitschke; and file

**SUBJECT:** 2003 MPO Sidewalk Project – Blanco from Lockhill-Selma to West Ave., Clark from Southcross to Hot Wells and Hot Wells from IH37 to New Braunfels

**DATE:** June 3, 2004

**SUMMARY AND RECOMMENDATIONS**

This ordinance amends the professional services agreement in the amount of \$9,000, payable to Rosin-Johnson, Inc. (formerly Rosin Group, Inc.), and authorizes additional engineering contingency in the amount of \$900, from 1999-2004 General Obligation Street Improvement Bond funds, for professional engineering services in connection with the sidewalk projects on Blanco from Lockhill-Selma to West Avenue, Clark from Southcross to Hot Wells and Hot Wells from IH 37 to New Braunfels, included in the 2003 MPO Sidewalk Project, an authorized Metropolitan Planning Organization (MPO) project, located in Council Districts 3 and 9.

This ordinance will become effective immediately upon eight (8) affirmative votes. Staff recommends approval of this Ordinance. Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

These projects will provide for the construction of six-foot sidewalks on both sides of the roadways on Blanco from Lockhill-Selma to West Avenue, Clark from Southcross to Hot Wells and Hot Wells from IH37 to New Braunfels. This project was originally included in the 2003 MPO Program for construction. However, the project was delayed due to a TxDOT freeze in funding. Funds for the construction of this portion of the Project are anticipated to become available in September of 2004, at which time TxDOT will advertise and let the project for construction. The project is anticipated to be completed by June 2006.

This ordinance authorizes funding in the amount of \$9,000 payable to Rosin-Johnson, Inc. for additional professional services which will include field verification of the cross slopes of proposed wheelchair ramps and the preparation of Variance Requests, to be submitted to the Texas Department of Licensing and Regulation (TDLR) for ramps that are not in compliance

with TDLR regulations. Services provided will also include various plan revisions, and other services as described in more detail in the Consultant's Proposals, included herein as Attachment 2.

This ordinance also authorizes additional engineering contingency in the amount of \$900.

As part of the implementation of the MPO projects, the City is responsible for one hundred percent (100%) of the design costs, and for twenty percent (20%) of the project construction costs.

The professional service contract for the 2003 MPO Sidewalk Project was approved by City Ordinance No. 93246 on January 18, 2001 and initially authorized \$182,334 for engineering services in anticipation of receipt of MPO funding, and to allow adequate time for TXDOT design approval. As discussed earlier, funding was delayed due to a freeze in TXDOT funding. This ordinance will authorize funds in the amount of \$9,000 payable to Rosin-Johnson, Inc., and will increase the total authorized for this professional service agreement to \$191,334.

### **POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to participate in the development and construction of City selected and approved MPO projects, which are approved annually by City Council.

### **FISCAL IMPACT**

This is a one-time capital improvement expenditure and is included in the FY 04-09 Capital Improvement Program Budget. Funds in the amount of \$9,900 are available from 1999-2004 General Obligation Street Improvement Bond funds and are payable as follows:

\$9,000.00	payable to Rosin-Johnson, Inc. for professional engineering services
\$ 900.00	payable for additional engineering contingency

### **COORDINATION**

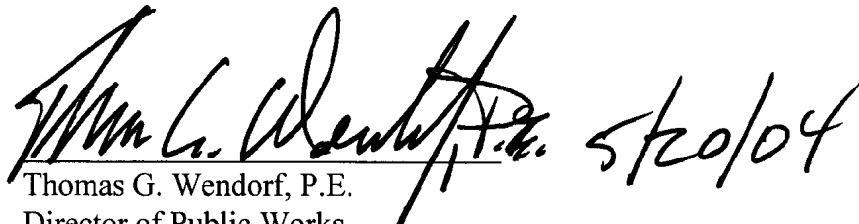
This request for ordinance has been coordinated with the Office of Management and Budget and the Finance Department.

### **SUPPLEMENTARY COMMENTS**

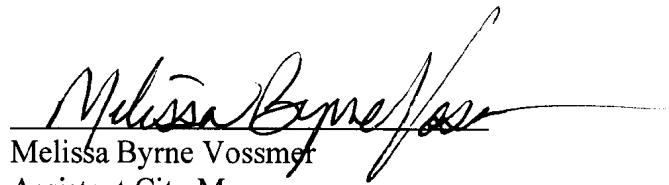
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

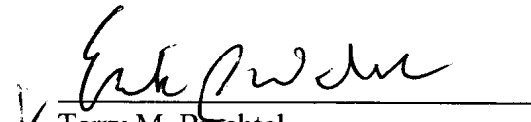
## ATTACHMENTS

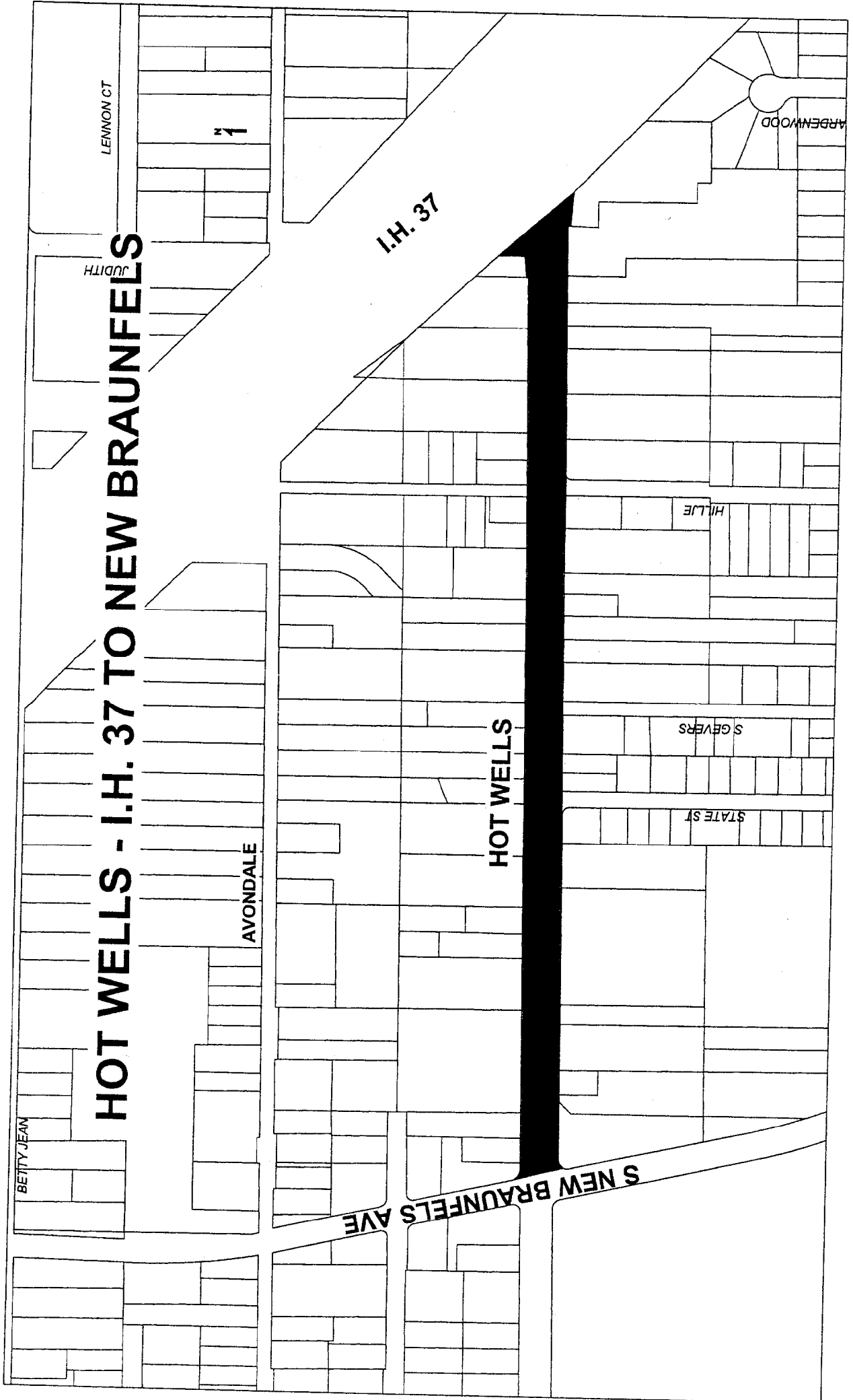
1. Project Maps
2. Proposals of Rosin-Johnson, Inc.
3. Discretionary Contracts Disclosure Form

  
Thomas G. Wendorf, P.E.  
Director of Public Works

Approved:

  
Melissa Byrne Vossmer  
Assistant City Manager

  
Terry M. Brechtel  
City Manager



**HOT WELLS - I.H. 37 TO NEW BRAUNFELS**

BETTY JEAN

LENNON CT

JUDITH

AVONDALE

I.H. 37

HOT WELLS

S NEW BRAUNFELS AVE

S GEVERS

STATE ST

HILLIE

ARDENWOOD

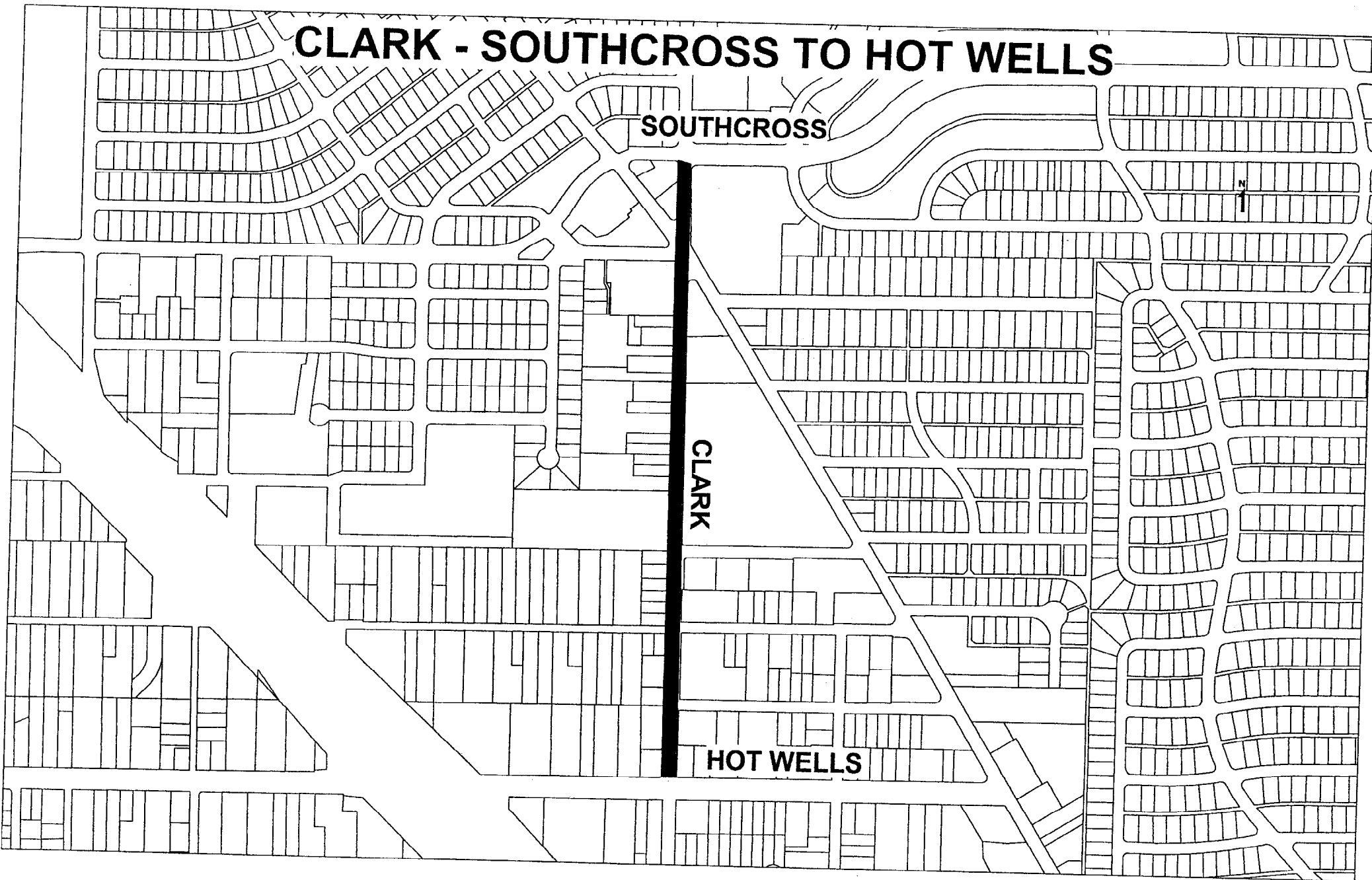
# CLARK - SOUTHCROSS TO HOT WELLS

SOUTHCROSS

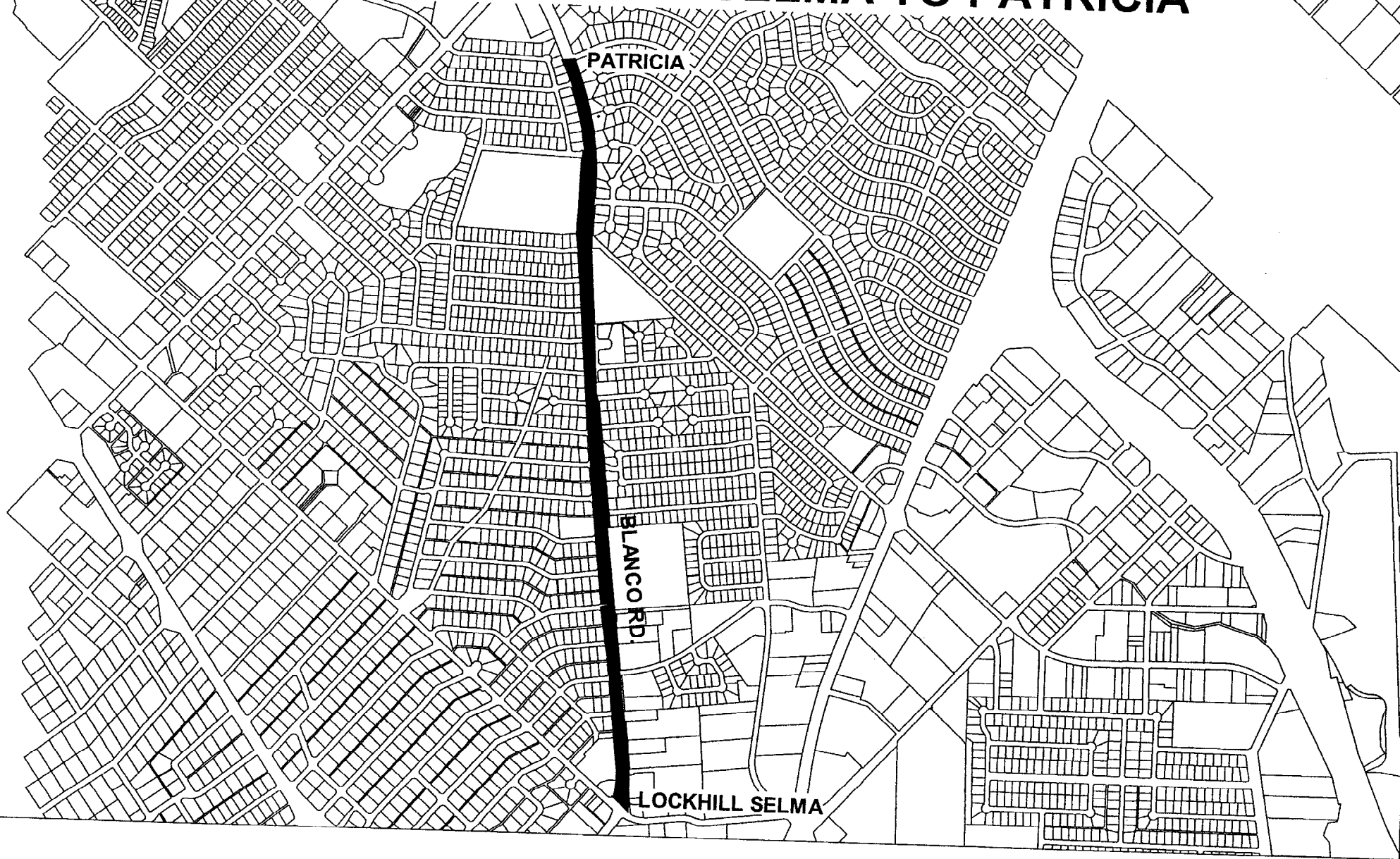
N

CLARK

HOT WELLS



# BLANCO - LOCKHILL SELMA TO PATRICIA





February 18, 2004

City of San Antonio  
Capital Programs  
114 W. Commerce 5<sup>th</sup> Floor  
San Antonio, TX 78205

RE: Verification of Cross Slopes and Variance Forms for Wheelchair Ramps  
MPO Project CSJ 0915-12-359, 0915-12-353, 2708-01-027  
San Antonio, Texas

ATTN: David Matney, P.E.

Dear Mr. Matney:

We are pleased to offer this proposal for Additional Services for the above captioned project. We are proposing to accomplish this work for a Lump Sum Amount in accordance with our existing contract.

A scope of services for work is included and lists the tasks that appear necessary to accomplish this work.

We will proceed with this work upon receipt of a signed copy of the Professional Services Agreement. Please call if you have any questions regarding this proposal.

Sincerely,



Roy R. Rosin, P.E., R.P.L.S.

Attachments: PSA

## PART 1

### SCOPE OF BASIC SERVICES AND FEES

#### SCOPE OF BASIC SERVICES

1. Field Verification of Cross Slopes of Proposed Wheelchair Ramps.
2. Completion of Variance Forms for Ramps that are out of specifications for TDLR requirements.

#### FEES

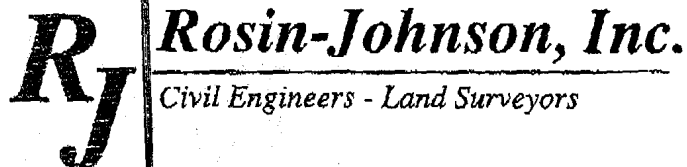
The fee for the above Scope of Basic Services will be **\$4,300.00**.

The Basic Services Fee will be paid as follows:

Fees to be paid monthly according to the percentage of work completed.

The above fees do not reflect any required Governmental or Agency Fees.





**SENT VIA FAX**  
**210-207-7604**  
**Revised**

March 25, 2004

Dave Matney  
Capital Projects Office  
City of San Antonio  
114 West Commerce, 5<sup>th</sup> Floor  
P.O. Box 839966  
San Antonio, Texas 78283-3966

Job Number: 110-028-000  
Job Name: 2003-2004 Sidewalks  
Hot Wells, & Clark

Dear Mr. Matney:

Our estimate for plan changes, meetings, calculations and other information necessary as required and referenced in the attached Conference Memorandum for the above referenced project is \$4,700.00. We are proposing to make these changes for hourly rates based upon our current contract with a not to exceed price of \$4,700.00.

We appreciate the opportunity to respond to any questions regarding this proposal.

Sincerely,



Roy K. Rosin P.E., R.P.L.S.

**Rosin-Johnson, Inc.**Environmental/Planning/Engineering/Project Management

Registered Professional Land Surveyor

**CONFERENCE MEMORANDUM****Date of Conference:** March 17, 2004**Project:** 2003-2004 Sidewalks**Job No.:** 110-028-000**Purpose:** Review Changes**Location:** Hot Wells & Clark**Present:**

Roy Rosin	Rosin Group, Inc.
Dave Matney	CSA
John Donnelly	CSA
Charles Miksch	TxDOT
Dale Stein	TxDOT

**Attachments:** None**Fax Copies to:**

Dave Matney, Charles Miksch

**NOTE:** The following presents the points of discussion, conclusions, and Agreements arrived at during the above referenced conference. If you do not agree with any of the above information, please notify Rosin Group, Inc. immediately.

**Points of Discussion****1. HOT WELLS**

- Revise plans to move sidewalk to 6' average from back of curb. Where necessary wind sidewalk around trees, poles or any other obstacles.
- At sidewalk bridge location, take out filleted area and provide an overlay to make the crossing of the bridge. Also modify handrail to conform to ADA requirements.
- Revise the plans to remove the curb replacement requirement.
- Leave driveways as originally proposed to run to the property line.
- Notify SAWS that there are changes being made in the Hot Wells area. Discuss their time schedule. Inform them that the project will be letting in August. Also that it will take

Page 2 of 2

about 60 days to revise the plans and have the changes approved. This would allow 3 months for them to relocate any SAWS facilities. Find out if this time is enough for them to make their adjustments.

## 2. CLARK AVENUE

- Check the intersection at Avondale to assure that ADA requirements have been complied with. If not, add the necessary ramps at that intersection.
- Add a note stating that topsoil and sodding will be added in areas where sidewalk is removed, and not replaced.

## 3. HLANCO

- Add note to plans to indicate that the driveway at C5 (Sta 15+15rt) to remove and replace the existing Drain Inlet Grate with one that will meet ADA requirements.
- Verify that the new grate will be able to carry the necessary storm water runoff.
- Include the grate as a bid item.

## ATTACHMENT 4

### CITY OF SAN ANTONIO

#### Discretionary Contracts Disclosure\*

*For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1 & 2*

*Attach additional sheets of space provided is not sufficient.*

*State "Not Applicable" for questions that do not apply.*

*This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.*

#### Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any individual who would be a party to the discretionary contract;

Roy R. Rosin

(2) the identity of any business entity that would be a party to the discretionary contract:  
\_\_\_\_\_ and  
the name of:

(A) any individual or business entity that would be a *subcontractor* on the discretionary contract;

Ruiz & Associates Surveying, Inc.  
4414 Centerview, Suite 211  
San Antonio, Texas 78228  
(210) 735-8514 (210) 738-2835 fax

Drash Consulting Engineers, Inc.  
4926 Research Drive  
San Antonio, Texas 78278-1208  
(210) 641-2112 (210) 641-2124 fax

(B) any individual or business entity that is known to be a *partner*, or a *parent* or *subsidiary business* entity, of any individual or business entity who would be a party to the discretionary contract;

None

(3) the identity of any lobbyist or *public relations firm* employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract.

None


### Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council, or to any political action committee that contributes to City Council elections, by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common-law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:

### Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question<sup>1</sup> as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

Signature: 	Title: CEO  Company: Rosin-Johnson, Inc.	Date:  1/09/04

<sup>2</sup>For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.